

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1, 4-14, and 16-36 were pending in the application, of which Claims 1, 11, 14, 21, and 29 are independent. In the Office Action dated June 14, 2006, Claims 14 and 16-20 were rejected under 35 U.S.C. § 101, Claims 1, 5, 14, 16-17, 21, and 29-30 were rejected under 35 U.S.C. § 112, and Claims 1, 4-14, and 16-36 were rejected under 35 U.S.C. § 102(e). Following this response, Claims 1, 4-14, and 16-36 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Interview Summary

Applicant thanks Examiner Patel for the courtesy of a telephone interview on September 26, 2006, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 102. During the interview, Applicants asserted that U.S. Patent No. 5,920,846 ("*Storch*") does not disclose that the occurrence of a determination that the request for access is a second or more occurrence of access within the predetermined time period based on the daily procedure performed by the technician and a determination that the electronic message has been modified since the past request for access to the message initiated by the technician. While the Examiner was positive regarding the claims amendments, no agreement was made regarding patentability of the claims

II. Change to Attorney Docket Number

Please note that the Attorney Docket Number for this application is now
60027.0445US01/BS 00406.

III. Rejection of the Claims Under 35 U.S.C. § 101

In the Office Action dated June 14, 2006, the Examiner rejected Claims 14 and 16-20 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claim 14 has been amended to recite a computer-readable storage medium rather than computer-readable medium. Applicants respectfully submit that the amendment to Claim 14 overcomes this rejection of Claims 14 and 16-20 and adds no new matter.

IV. Rejection of the Claims Under 35 U.S.C. § 112, Second Paragraph

In the Office Action, the Examiner rejected Claims 1, 5, 14, 16-17, 21, and 29-30 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention. The Examiner stated that it is unclear to the metes and bounds of "time period." Claims 1, 14, and 21 have been amended to recite that the time period is predetermined and based on a daily procedure performed by a technician. Applicants respectfully submit that the amendments to Claims 1, 14, and 21 overcome this rejection and add no new matter.

V. Rejection of the Claims Under 35 U.S.C. § 102(e)

In the Office Action, the Examiner rejected Claims 1, 4-14, and 16-36 under 35 U.S.C. § 102(e) as being anticipated by *Storch*. Claims 1, 11, 14, 21, and 29 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “determining whether the request for access is a first occurrence of access within a predetermined time period based on a daily procedure performed by the technician” or “transmitting the received electronic message to the access device for display at the customer service location after the occurrence of a determination that the request for access is a second or greater occurrence of access within the predetermined time period based on the daily procedure performed by the technician and a determination that the electronic message has been modified since the past request for access to the message initiated by the technician.” Amended Claims 14 and 21 each includes a similar recitation. Furthermore, amended Claim 11 is patentably distinguishable over the cited art for at least the reason that it recites, for example, “a request for access to the technician server, initiated by a technician, to the first message from the access device is not the first occurrence of access within a predetermined time period based on a daily procedure performed by the technician.” Amended Claim 29 includes a similar recitation. Support for these amendments can be found in the specification at least in paragraph [0021], lines 1-14.

Consistent with embodiments of the invention, a technician may access a technician server 4 using an access device 2. (See specification, paragraph [0021], lines 1-3.) Once the technician accesses technician server 4, technician server 4 may

verify whether or not this is a first time that the technician has accessed technician server 4 within a given time period. (See specification, paragraph [0021], lines 3-6.) The given time period may be based on daily procedures performed by the technician in connection with technician server 4. (See specification, paragraph [0021], lines 6-9.) If it is determined that this is the first time in the given time period that the technician has accessed technician server 4, technician server 4 may retrieve an electronic message 32 from an administration system 28. (See specification, paragraph [0021], lines 9-12.) Technician server 4 may then forward electronic message 32 through a systems interface 10 and a communications network 20 to access device 2's display screen 2A. (See specification, paragraph [0021], lines 12-14.)

In contrast, *Storch* at least does not disclose any of the aforementioned recitations from independent Claims 1, 11, 14, 21, and 29. For example, *Storch* merely discloses that if a service order number and wire center designation were previously received by a due data availability system (DUDAS) 266, DUDAS 266 performs an examination and comparison. (See col. 58, lines 36-39.) In *Storch*, DUDAS 266 examines and compares a previous time estimate, due date, wire center, date and time to see if there are any deviations or changes in the prior information in view of the current information just received by DUDAS 266. (See col. 58, lines 39-41.) If there is no change in the information, DUDAS 266 does not adjust its records. (See col. 58, lines 41-43.) If there are any changes, all changed (superseded) information is withdrawn from cumulative records maintained by DUDAS 266. (See col. 58, lines 41-44.) In addition, all new information is input to these records. (See col. 58, lines 44-46.) In other words, in *Storch*, if there is a change in the date, appointment time, and/or time

estimate, DUDAS 266 changes or adjusts its records to make the prior date and/or time available. (See col. 58, lines 46-49.) In *Storch*, determining whether a request for access is a first occurrence of access within a predetermined time period based on a daily procedure performed by a technician is not disclosed. Rather *Storch* merely discloses that if there is a change in a date, appointment time, and/or time estimate, DUDAS 266 changes or adjusts its records to make the prior date and/or time available. Furthermore, *Storch* is completely silent regarding transmitting after the occurrence of one of: i) determining that a request for access is a first occurrence of access within a predetermined time period or ii) a determining that the request for access is not the first occurrence of access within the predetermined time period and determining that an electronic message has been modified since a past request for access to the message.

Storch does not anticipate the claimed invention because *Storch* at least does not disclose “determining whether the request for access is a first occurrence of access within a predetermined time period based on a daily procedure performed by the technician” or “transmitting the received electronic message to the access device for display at the customer service location after the occurrence of a determination that the request for access is a second or greater occurrence of access within the predetermined time period based on the daily procedure performed by the technician and a determination that the electronic message has been modified since the past request for access to the message initiated by the technician,” as recited by amended Claim 1. Amended Claims 14 and 21 each includes a similar recitation. Furthermore, *Storch* does not anticipate the claimed invention because *Storch* at least does not disclose “a request for access to the technician server, initiated by a technician, to the

first message from the access device is not the first occurrence of access within a predetermined time period based on a daily procedure performed by the technician,” as recited by amended Claim 11. Amended Claim 29 includes a similar recitation.

Accordingly, independent Claims 1, 11, 14, 21, and 29 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 11, 14, 21, and 29.

Dependent Claims 4-10, 12-13, and 16-20, 22-28, and 30-36 are also allowable at least for the reasons described above regarding independent Claims 1, 11, 14, 21, and 29, and by virtue of their respective dependencies upon independent Claims 1, 11, 14, 21, and 29. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 4-10, 12-13, and 16-20, 22-28, and 30-36.

VI. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

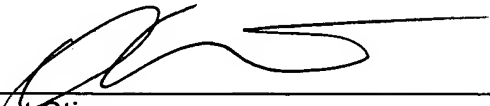
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
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